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# **State of Utah DEPARTMENT OF NATURAL RESOURCES Division of Oil, Gas & Mining**

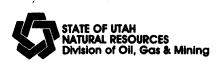
MICHAEL R. STYLER Executive Director JOHN R. BAZA Division Director



## UTAH DIVISION OF OIL, GAS AND MINING FACSIMILE COVER SHEET

DATE: November 15, 2005
DATE: Moren bu 15, 2005 FAX#: 435-286-4499
ATTN: Mike Daris
COMPANY: Canyon Fuel
NUMBER OF PAGES (INCLUDING THIS ONE):
FROM: Q. Nance
If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340. We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.  MESSAGES:

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

NO. N. 05-53-1-1				
To the following Permittee or Operator:				
Name Canyon Fuel Company	LLC			
Mine SUFCO	$\square$ Surface $oldsymbol{\lambda}$ Underground $\square$ Other			
County Sevier State Uto	h Telephone (435) 286 - 4400			
Mailing Address 397 South 800 Wes	+ Salina UT 84654			
State Permit No. C0410002				
Ownership Category   State				
Date of inspection 10   13   2005				
Time of inspection $10.00$ $\boxtimes$ a.m.	p.m. to 4:00 a.m. × p.m.			
Operator Name (other than Permittee)				
Mailing Address				
Under authority of the Utah Coal Mining and Reclamation A the undersigned authorized representative of the Division of above mine on above date and has found violation(s) of the in attachment(s). This notice constitutes a separate Notice. You must abate each of these violations within the designar work in a safe and workmanlike manner.  The undersigned representative finds that <b>cessation of mini</b> by this notice. For this purpose, "mining" means extracting a within or from the mine site.  This notice shall remain in effect until it expires as provided a vacated by written notice of an authorized representative abatement may be extended by authorized representative time before the end of abatement period.  ## 7002 0510 0003 8603 8482	f Oil, Gas & Mining has conducted an inspection of the act, regulations or required permit condition(s) listed of Violation for each violation listed.  Ited abatement time. You are responsible for doing all the standard and search or a waste pile, and transporting it controverse side of this form, or is modified, terminated or of the director of the Division of Oil, Gas & Mining. Time for for good cause, if a request is made within a reasonable			
Date of service/mailing	Time of service/mailing $//\mathcal{L}\mathcal{D}$ (a.m. $\square$ p.m.			
Permittee/Operator representative	Title			
Signature  Steve Fluke Division of Oil, Gas & Mining representative  Signature	Environmental Scientist II  #53 Identification Number			
SEE REVERSE SIDE WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE				
The state of the s				



### NOTICE OF VIOLATION NO. N. 05-53-1-1

violation Noof
Nature of violation
Coal fines appear to have been released into the North Fork
of Quitchupah Creek from UPDES outfall 003. Observed
impacts to the creek were anonymously reported to DWQ on
October 5, 2005. The release apparently occurred sometime
prior to that da during the week prior to that date.
Provisions of act, regulations or permit violated
R645-301-731:121 Surface water protection i additional contributions
of suspended solids to stream flow, prevent water pollution
R645-301-742,111 Requirement to prevent additional contributions
of suspended solids to stream flow
R645-301-752.220, .230, .240 Sediment control measures
Downstream of UPDES outfall 003 in the North Fork of Quitchupah Creek and Quitchupah Creek within and outside of the permit area.
Remedial action required (including any interim steps)  The Permittee shall submit to POGM and DWQ a findings of their investigations regarding the cause of the coal fines release and a preventative action plan that addresses measures taken to control future releases.
Abatement time (including interim steps)  Within 10 days from issuance of receipt of NOV  NO5-53-1-1. (no later than November 30, 2005)
WHITE-DOGM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE

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#### TRANSACTION REPORT

NOV-15-2005 TUE 04:33 PM

FOR: OIL, GAS & MINING

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DATE START RECEIVER	TX TIME	PAGES TYPE	NOTE	M# DP	-* *
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MICHAEL R. STYLER Executive Director

JOHN R. BAZA Division Director

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